Before the Board of Zoning Adjustment, D. c.

PUBLIC HEARING -- May 18, 1966

Appeal No. 8740   Joseph & Anna Smith, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on June 22, 1966.

EFFECTIVE DATE OF ORDER -- July 29, 1966

ORDERED:

That the appeal for variance from the rear yard requirements of the R-3 District to permit carport at 1400 - 35th Street, NW., lot 846, square 1247, be granted.

FINDINGS OF FACT:

(1)   Appellants' property is located in an R-3 District.

(2)   The lot is improved with a single family dwelling. The lot dimensions are 33 feet by 50 feet. The lot contains 1,650 square feet of land.

(3)   The lot occupancy allowed in this district is 60% and accordingly the permissible occupancy for this lot is 990 square feet.

(4)   The existing dwelling and the carport will only occupy 911 square feet of the lot.

(5)   Appellants propose to erect a carport 10' 5" x 22" attached to the dwelling and abutting the rear lot line. Access to the carport will be from O Street.

(6)   Due to the size and shape of the lot, a carport cannot be constructed on the lot without a variance from the rear yard requirements.

(7)   The Citizens Association of Georgetown opposed the granting of this appeal. Appellant states that no persons residing in the immediate neighborhood opposed the granting of this appeal.

OPINION:

We are of the opinion that appellant has proved a hardship within the provisions of the variance clause of the Zoning Regulations. Although the proposal results in no rear yard, we find that this does not adversely affect any adjoining or nearby property.

The erection of a carport will be consistent with the present use and occupancy of the lot and permission to erect the carport can be granted without substantial detriment to the public good and without substantially affecting the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.